

## DECLARATION

I, Bryan Moulitis, pursuant to 28 U.S.C. § 1746, under penalty of perjury and pursuant to the laws of the United States, state that the following is true and correct to the best of my knowledge and belief:

1. I, Bryan T. Moulitis, am a Special Agent (S/A) of the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). I have been employed over four years as an HSI S/A and have completed the DHS Federal Law Enforcement Training Center (FLETC) Criminal Investigator Training Program (CITP). I am currently assigned to the HSI Resident Agent in Charge Raleigh, North Carolina Field Office (HSI RAC/RA), and my duties include conducting criminal investigations for violations of Titles 8, 18, 19, and 21 of the United States Code, to include violations of immigration offenses, trafficking of contraband and prohibited goods into the United States, attempting to obtain visas by fraud, making false statements, and intellectual property rights infringements. Prior to my appointment as an HSI S/A, I was employed as a civilian S/A with Army Criminal Investigation Command, Major Procurement Fraud Unit, for a period of two years, where I performed sophisticated fraud and corruption investigations. This declaration is based on my own knowledge and experience as well as information provided by other federal, state, and/or local law enforcement agencies.

2. This declaration is made in support of the forfeiture of \$13,930 in U.S. currency seized from Mohamed Yeslem Ould Izid Bih ("IZID BIH") pursuant to Title 18, United States Code, Section 981 and Title 18, United States Code, Section 1956.

3. This forfeiture action arose from criminal investigations of IZID BIH's illegal trafficking in contraband cigarettes in Cumberland County and elsewhere in North Carolina.

**GOVERNMENT  
EXHIBIT**

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### October 2018 Investigation and Surveillance

4. In or about October 2018, the Cumberland County Sheriff's Office Organized Crime Unit, working with Homeland Security Investigations, were investigating a ring of cigarette traffickers.

5. On multiple instances, officers observed multiple individuals, including IZID BIH, drop off and/or pick up large quantities of cigarettes from a storage unit located at American Flag Storage in Hope Mills, North Carolina.

6. Specifically, on October 4, 2018, Akram Ali Amer, Mohamed Hafd Abdou, and IZID BIH traveled to the storage with a large quantity of cigarettes for the purpose of storing and later transporting the cigarettes to Virginia. Officers observed men at the unit backing vehicles into the unit, where it appeared that the vehicles were loaded or unloaded.

7. Four days later, on October 8, 2018, officers surveilling the facility observed IZID BIH arrive at the storage unit driving a blue Chevy Equinox registered in his name. Other vehicles arrived to the unit as well, including a Toyota van driven by Abdou. IZID BIH backed the blue Chevy Equinox halfway into the unit, where it remained for several minutes. IZID BIH then pulled the Equinox out of the unit, and a Dodge van backed into the unit. This process was repeated for other vehicles.

8. Ultimately, the Dodge van that had been backed into the unit departed the unit, and inside the van officers observed a blue blanket covering cartons of cigarettes. The Dodge van and the Toyota van then departed the facility and traveled northbound until they crossed the Virginia line.

9. The next day, on October 9, 2018, officers again observed Abdou arrive at the storage unit. A few minutes later, IZID BIH arrived, spoke with Abdou, and backed his vehicle into the storage unit. As he backed inside, officers observed cartons of cigarettes in the rear of

IZID BIH's vehicle. After approximately six minutes, IZID BIH exited the unit and left the storage facility.

**The January 15, 2019 Seizure of \$13,930**

10. On Tuesday, January 15, 2019 Corporal (Cpl.) Kevin Hamlet and Senior Sergeant (Sgt.) Tim Bailer of the Cumberland County Sheriff's Office Interstate Criminal Enforcement Team observed a gray Ford F-150 at the 48 mile marker traveling northbound on Interstate 95. The vehicle was driving erratically and failing to maintain lane.

11. As the officers were attempting to overtake the vehicle, it made a quick exit from the interstate into the rest area between the mile 48 and mile 49 markers. Cpl. Hamlet followed the vehicle into the rest area. Cpl. Hamlet observed the driver exit the vehicle. The driver quickly got on the phone and appeared to be hiding his face as he was walking away, which appeared to Cpl. Hamlet to be suspicious behavior.

12. The deputies did not approach the vehicle at the rest area but returned to I-95, continued to the 54 mile marker, and began observing traffic. A short time later, Cpl. Kevin Hamlet and Sgt. Tim Bailer observed the same gray Ford F-150 pass their location. The vehicle was following another vehicle too closely as it passed by.

13. Cpl. Hamlet and Sgt. Bailer stopped the Ford F-150 as it traveled northbound on I-95, near mile marker 57.

14. Sgt. Bailer made contact with the driver of the Ford F-150 who was identified as IZID BIH. IZID BIH indicated that the vehicle was a rental vehicle, but he could not find the rental contract initially.

15. While IZID BIH was obtaining his license and the vehicle's registration, he opened the center console and Sgt. Bailer observed a black plastic bag in the console of the vehicle. The black plastic bag contained something square in shape. Sgt. Bailer also noted IZID BIH became

nervous as he looked for the vehicle registration and rental contract.

16. After checking IZID BIH's license, Sgt. Bailer spoke further with IZID BIH and issued him a warning to maintain his lane and allow more room while following. Sgt. Bailer then requested consent to search the vehicle. IZID BIH consented to a search. Sgt. Bailer asked IZID BIH if he had any large sums of money in the vehicle, and IZID BIH responded that he had \$13,900.00 in the truck. Sgt. Bailer asked what the money was for and IZID BIH replied that it was to pay the gas bill and lottery bill in Raleigh. IZID BIH also indicated the money was for two different businesses.

17. Sgt. Bailer performed a systematic search of the vehicle and located a bag lying on the front seat with several bank bags and receipts in it. That paperwork in and around this bag looked like it came from several stores. Sgt. Bailer also located United States currency in the bank bag in the amount of approximately \$2,300.00.

18. During the search of the vehicle, Sgt. Bailer also located several ledgers and various paper documents. These documents indicated that IZID BIH had been buying large quantities of cigarettes in Raleigh from Sam's Club. Sgt. Bailer located the rental contract for the vehicle in the eye glass holder in the roof liner. The vehicle was rented in IZID BIH's name. Sgt. Bailer opened up the bottom compartment between the two front seats and located a black bag containing seven (7) bundles of United States currency. The bundles were wrapped in rubber bands. Unlike the other \$2,300, there were no paper documents or receipts discovered in the bag with the seven bundles of currency.

19. As part of law enforcement's investigation, Sgt. Bailer contacted Sgt. David Borresen of the Cumberland County Sheriff's Office Organized Crime Unit to alert him to the traffic stop of IZID BIH. Sgt. David Borresen advised Sgt. Bailer that IZID BIH was involved in cigarette trafficking and was currently under criminal investigation by the Office's Organized

Crime Unit.

20. Cpl. Hamlet and Sgt. Bailer escorted IZID BIH to the Cumberland County Sheriff's Office Annex to complete searching the vehicle and provide receipts for the property seized.

21. Sgt. Bailer took the currency discovered during the vehicle search to PNC bank on Ramsey Street in Fayetteville, North Carolina. The currency was counted, totaling \$13,930. The bank issued a cashier's check in the same amount to U.S. Customs and Border Protection.

22. The Cumberland County Sheriff's Office Organized Crime Unit and Homeland Security are currently conducting an open investigation of cigarette smuggling based in and around Cumberland County, North Carolina. As a result of that investigation, IZID BIH had on three separate occasions been observed making deliveries of bulk cigarettes to storage units in Cumberland County for interstate transport.

23. The above referenced investigation resulted in Sam's Club providing IZID BIH's purchase history. Those records indicated that between January 2018 and March 2019, IZID BIH purchased 20,956 cartons of cigarettes from Sam's Club. The records also indicated that the total cost of these cigarettes was \$1,090,701.

24. On June 19, 2019, a grand jury in the Eastern District of North Carolina returned an eight-count criminal indictment against IZID BIH and more than twenty of his co-conspirators. IZID BIH was charged with two criminal counts, including conspiring to illegally traffic in cigarettes and conspiring to launder money. The criminal indictment remains sealed.

### **CONCLUSION**

25. Based on the foregoing, probable cause exists to believe that the aforementioned \$13,930 in U.S. currency constitutes or is derived from proceeds traceable to specified unlawful activities, as defined in 18 U.S.C. § 1956(c)(7), including trafficking in contraband cigarettes.

26. The foregoing facts are therefore sufficient to support a reasonable belief that the

\$13,930.00 in U.S. currency is forfeitable to the United States pursuant to Title 18, U.S.C. § 981(c).

Executed this \_\_26\_\_ day of June, 2019



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Bryan Moulitis  
Special Agent  
Homeland Security Investigations